UNITED
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Security Council

Distr.
GENERAL

S/1995/710
18 August 1995

ORIGINAL: ENGLISH

LETTER DATED 18 AUGUST 1995 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF BOSNIA AND HERZEGOVINA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to present to you the attached letter, dated today, from my Minister for Foreign Affairs addressed to you (see annex).

May I ask for your kind assistance in circulating the present letter and its annex as a document of the Security Council.

(Signed) Ivan Z. MISIĆ
Chargé d'affaires a.i.

95-24344 (E) 180895 190895

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Annex

Letter dated 18 August 1995 from the Minister for Foreign Affairs of Bosnia and Herzegovina addressed to the President of the Security Council

We have learned, first through the media briefing of the United Nations Protection Force (UNPROFOR), that UNPROFOR will totally withdraw its forces from the safe area/exclusion zone of Goražde. We take some comfort from the statement that Goražde will continue to be the beneficiary of North Atlantic Treaty Organization (NATO) air protection. However, we have not been informed as to the mechanisms of this protection under these new circumstances, and seek clarification. Finally, although we have had some consultations on the matter with UNPROFOR headquarters in Sarajevo as well as New York, we believe that all the options available to improve the safe area/exclusion status of Goražde have not yet been properly addressed. After all, if UNPROFOR or the rapid reaction force (RRF) in the Republic of Bosnia and Herzegovina are no longer to have a role in defending or deterring attacks against safe areas/exclusion zones, we must question why is there any UNPROFOR or RRF in the Republic of Bosnia and Herzegovina or at least why the 40,000 troops. We understand that several nations have offered substantial forces and real deterrents for Goražde, but that these offers have been continually rejected.

While there is speculation as to Goražde's future under the American initiative, the timing of the action by UNPROFOR could only raise suspicion and a lack of confidence. While the RRF presses its engagement in the Republic of Bosnia and Herzegovina, we wonder why it is not pressed to establish a presence in the safe area/exclusion zone of Goražde.

Our only recourse is to take into consideration UNPROFOR's real contributions in the Republic of Bosnia and Herzegovina as we continue to evaluate UNPROFOR's status. Of course, we reserve the right to undertake other measures under Article 51, including alternative bilateral arrangements to redress the matter.

(Signed) Muhamed SACIRBEY
Minister

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1995/711
18 August 1995

ORIGINAL: ENGLISH

LETTER DATED 18 AUGUST 1995 FROM THE CHARGÉ D'AFFAIRES A.I. OF THE PERMANENT MISSION OF BOSNIA AND HERZEGOVINA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to present to you the attached letter, dated today, from my Minister for Foreign Affairs addressed to you (see annex).

May I ask for your kind assistance in circulating the present letter and its annex as a document of the Security Council.

(Signed) Ivan Z. MISIĆ
Chargé d'affaires a.i.

95-24350 (E) 180895 190895

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Annex

Letter dated 18 August 1995 from the Minister for Foreign Affairs of Bosnia and Herzegovina addressed to the President of the Security Council

Pursuant to my letter dated 14 August 1995 (S/1995/690, annex), I regret to inform you that the ethnic cleansing being carried out by Pale's authorities of Muslim, Croat, Gypsy and other non-Serb civilians in Banja Luka not only continues but has intensified. Over the past days, the number of those forcibly expelled has reached roughly 1,500 per day. We remind United Nations authorities that violence, torture, rape and murder are being perpetrated with impunity in this latest wave of forced expulsion and terror.

Regrettably, despite Security Council resolution 941 (1994), the Geneva and Genocide Conventions, and numerous appeals made by my own and other Governments, the United Nations has taken neither adequate nor effective measures to halt or at least curtail these widespread and obvious human rights abuses. We applaud United Nations authorities for their swift and comprehensive response to the plight of Serb refugees freely departing with fully loaded vehicles from the so-called Krajina region, but are disheartened that not even a fraction of this response could be mustered for the refugees forcibly expelled with little more than plastic bags from Banja Luka.

We reiterate the necessity of heightening the presence of United Nations and non-governmental organizations personnel who can minimize suffering and human rights abuses; appointing a new special rapporteur, who should as a first priority report on the situation in Banja Luka; and reiterating in the most direct terms the personal responsibility of those responsible for violations of human rights and of the Geneva and Genocide Conventions.

(Signed) Muhamed SACIRBEY
Minister

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General Assembly
Security Council

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GENERAL

A/50/358
S/1995/712
18 August 1995

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fiftieth session
Item 114 (c) of the provisional agenda*
HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES

SECURITY COUNCIL
Fiftieth year

Letter dated 18 August 1995 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General

Upon the instructions of my Government, I am writing to you regarding the letter of Mr. Mate Granić of 14 August 1995 (A/50/354-S/1995/696, annex).

The said letter represents the height of cynicism of the policy pursued by Croatia. At a time when the Croatian authorities have resorted to the cruellest means - massive armed aggression - with a view to realizing the basic premise of their policy, that is, the creation of the ethnically pure State, Mr. Granić is attempting to divert the attention of the international community away from the humanitarian catastrophe and tragedy of the Krajina Serbs who have been forced to flee their ancestral homes.

Even before Croatia's latest aggression, some 350,000 Serbs had been expelled from Croatia. Those who remained have been subjected to extreme harassment, forcible conversion to the Catholic faith, lay-offs and eviction, just for being Serbs.

So far, 220,000 Serbs, almost the entire population of parts of the Krajina, have fled the area since Croatia's latest aggression.

* A/50/150.

According to the data of the Commissariat for Refugees of the Republic of Serbia, since the onset of the Croatian attacks on the Krajina on 4 August 1995 until 17 August, 151,934 Serb refugees were registered in the territory of the Federal Republic of Yugoslavia. It is estimated that this number will reach 200,000, at least 25 per cent of whom are children. A large number of Serb refugees also found shelter in the Republic of Srpska: in the area of Banja Luka alone, 30,000 refugees remained and it is anticipated that 10,000 to 15,000 more refugees are still to come.

Despite Croatia's attempts to obscure all traces of the horrendous and massive crimes committed against the Krajina Serbs, the truth is nevertheless starting to prevail.

Following the massive crimes in western Slavonia in May 1995 committed by the Croatian forces, which resulted in territory cleansed of Serbs, Croatia is now resorting to the same method in the Krajina, namely, the media and international humanitarian organizations and the United Nations representative are denied access to the area before all incriminating traces are removed. However, even according to sparse reports of the relevant organizations, including the United Nations, it is more than evident that the atrocities of the Croatian army were abundant - indiscriminate shelling of columns of refugees, total destruction of entire Serb villages, looting and gross violations of human rights. The United Nations representative today said that certain evidence indicated the possibility of mass graves in Knin, Vrlika and other places.

The accounts of the surviving Serb refugees are appalling. They bear witness to a large number of mass murders, particularly in the area of Topusko and Dvor. Especially telling are the pictures of the fleeing Serbs being brutally humiliated and attacked by the Croats in Sisak despite the presence of Croatian authorities and in full view of representatives of the United Nations, the International Committee of the Red Cross (ICRC) and the Office of the United Nations High Commissioner for Refugees (UNHCR). The fate of the column of 10,000 refugees from Topusko, which was allowed by the Croatian authorities to leave for the Federal Republic of Yugoslavia, is still unknown since 10 August 1995.

The terror of the Croatian authorities against the Serb people in the Krajina is an obvious proof that the declared readiness of Croatian officials to ensure a "normal life" for all Serbs who decide to stay in Croatia was a sham designed to offset the criticism of the international community.

Mr. Granić's allegations to the effect that "the Croatian ethnic community is being subjected to 'ethnic cleansing'" in the Federal Republic of Yugoslavia, are absolutely untrue and utterly malicious. The Federal Republic of Yugoslavia, as a multi-ethnic State where over 30 per cent of the population are members of national minorities, provides under its Constitution for full equality of its citizens regardless of their nationality, religion or political affiliation, in full accordance with the relevant international conventions acceded to by Yugoslavia.

In the final analysis, what is the moral integrity of a regime that is obviously continuing its policy of genocide against the Serb people, that 50 years ago executed 700,000 in concentration camps and in the past 4 years has killed and expelled over half a million of them?

I should be grateful if you would circulate the present letter as an official document of the General Assembly, under item 114 (c) of the provisional agenda, and of the Security Council.

(Signed) Dragomir DJOKIĆ
Ambassador
Chargé d'affaires a.i.

UNITED
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Security Council

Distr.
GENERAL

S/1995/713
19 August 1995
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 17 AUGUST 1995 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to notify you of the continued violations of the cease-fire resolution and the Tehran agreement concerning the area of separation between Iraq and Iran that were committed by the Iranian side between 1 and 31 July 1995, as shown in the list annexed hereto.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

95-24405 (E) 210895 210895 220895

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Annex

Iranian violations of the cease-fire and the 1991 Tehran agreement, 1-31 August 1995

1. At 0810 hours on 1 July 1995 eight individuals from the Iranian side were observed using shovels to carry out maintenance work on the Iranian positions at coordinates 933031, inside the area of separation opposite the Tib post.

2. At 1010 hours on 2 July 1995 the Iranian side proceeded to install a machine-gun at coordinates 909788 (Shalamjah).

3. At 0500 hours on 5 July 1995 an Iranian fibreglass boat with three persons in civilian dress armed with Kalashnikov assault rifles on board crossed into Iraqi territorial waters in the Kat'ah area. They seized an Iraqi fishing boat and the fishermen Hamid Abbas, Majid Talib and Ali Sabbar and took them to the Iranian position at coordinates 78598. The boat is still being held at the Iranian position.

4. At 1415 hours on 30 July 1995 two helicopters were seen at coordinates 5970 to the north of the Ajyudah dam. They continued to hover for a period of five minutes and then returned to Iranian territory.

5. Recently, Iranian boats have been crossing the boundary line in the Shatt al-Arab and approaching, harassing and searching Iraqi fishing boats.

The Iranian side has been surreptitiously laying pipes to channel oil from the Majnun fields to points inside Iranian territory.

The Iranian side has built embankments opposite Shalhat al-Aghwath from which to fire medium machine-guns, has cleared a 1-kilometre-long area in front of the embankments of reeds and papyrus in order to expose the area facing the Shatt al-Arab sector and has stepped up its combat patrols opposite the area.

6. At 0800 hours on 29 July 1995, a helicopter came from the Iranian rear in the direction of Wadi al-Za'faran at coordinates 486355. It continued to hover for a period of five minutes, 250 metres from the international boundary.

7. At 0800 hours on 31 July 1995 a helicopter was seen at coordinates 670240 in the Jifnah area, 1.5 kilometres from the international boundary.

8. At 1115 hours on 31 July 1995 a helicopter was seen at coordinates 720220 opposite Qirmaniyah, 2 kilometres from the international boundary.

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Security Council

Distr.
GENERAL

S/1995/714
19 August 1995

ORIGINAL: ENGLISH

LETTER DATED 18 AUGUST 1995 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Upon instructions of my Government, I am writing to inform you of the following.

On 16 August 1995, one NATO aircraft violated the airspace of the Federal Republic of Yugoslavia between 3.01 p.m. and 3.07 p.m. in the area of South Adriatic. The aircraft entered 8 km deep into the airspace of the Federal Republic of Yugoslavia, flying at an altitude of 4,100 m and 720 km per hour heading at a course of 270 degrees and exited the Yugoslav airspace in the direction of Prevlaka.

The Government of the Federal Republic of Yugoslavia hereby lodges a strong protest to the Security Council due to frequent violations of its airspace by NATO aircraft in total disregard of the warnings of the Yugoslav Government. The Government of the Federal Republic of Yugoslavia wishes to warn the Security Council of serious consequences that may arise therefrom and demands that such practices be immediately halted.

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(Signed) Dragomir DJOKIC
Ambassador
Chargé d'affaires a.i.

95-24386 (E) 190895 210895

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1995/715
19 August 1995

ORIGINAL: ENGLISH

LETTER DATED 18 AUGUST 1995 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Upon instructions of my Government, I am writing to you regarding the letter of Mr. A. Serreqi, Minister of Foreign Affairs of the Republic of Albania (S/1995/700) of 15 August 1995.

In his letter, Mr. Serreqi has advanced ill-intentioned allegations concerning the accommodation in Kosovo and Metohija of a small number of Serb refugees from Krajina who have found refuge in the Federal Republic of Yugoslavia following Croatia's aggression against Krajina. This letter represents yet another striking example of persistent and gross interference of Albania in internal affairs of the Federal Republic of Yugoslavia. In doing so, Albania is revealing its true intentions and proves to be a constant threat to peace and stability in the region.

Instead of expressing compassion and understanding for the plight of the expelled Serb people from Krajina, Albania is taking advantage of this humanitarian tragedy to generate fear among the Albanian national minority in Kosovo and Metohija and provoke the spill-over of the conflict to the entire region.

The Federal Republic of Yugoslavia is facing enormous problems in dealing with the overwhelming influx of refugees and providing for their basic needs. Up to date, more than 150,000 refugees have been registered in the Federal Republic of Yugoslavia. The problem is even greater since Yugoslavia has already taken care of around 500,000 refugees from the war-torn areas.

Despite international humanitarian aid that is coming in, the major burden is being borne by the Federal Republic of Yugoslavia itself. Already hard hit by the harshest sanctions ever imposed against one country, Yugoslavia's capacities are almost exhausted. Nevertheless, it is investing utmost efforts to provide adequate accommodation and meet other needs as efficiently as possible.

Accommodation for the refugees is provided throughout the territory of the Federal Republic of Yugoslavia. Mr. Serreqi should know that Kosovo and

Metohija is an integral part of the Federal Republic of Yugoslavia. It is the legitimate right of Yugoslavia to choose adequate means to cope with the urgent humanitarian problems it is faced with now. Kosovo and Metohija has to share the burden along with other parts of Yugoslavia in providing housing and care for the refugees. Only those who encourage and advocate separatist policy of the Albanian national minority in Kosovo and Metohija in order to achieve an ethnically pure region have reason to fear the settling of the refugees in this area, since they hope that, with the outside assistance, ethnically pure region would ensure conditions for secession of Kosovo and Metohija from the Federal Republic of Yugoslavia.

According to the official data, only about 800 refugees have been dispatched to Kosovo and Metohija so far. The figure is negligible viewed against the estimated total number of more than 200,000 refugees to be admitted to the Federal Republic of Yugoslavia.

Consequently, the charges of the alleged "... ethnic cleansing against the Albanians ..." in Kosovo and Metohija and especially of "... its colonization with colonists gathered together from the territories of the former Yugoslavia ...", are not only senseless but utterly malicious and inhumane. Albania's declared concern for the members of the Albanian minority in Kosovo and Metohija is hypocritical, to say the least. Albania consistently failed to express any concern for the virtual exodus of the Serbs from Kosovo and Metohija which indeed triggered the change of demographic structure in the region. Furthermore, it never raised its voice against "ethnic cleansing" of the Serbs from Western Slavonia and Krajina as well as against the official Croatian statements that 99 per cent of the Serbs will leave Croatia.

In doing so, Albania is in the forefront of those who demonstrated total disregard for the human tragedy of enormous proportions of the Serb people from Krajina and is trying to unscrupulously politicize this tragedy to advance its own political agenda.

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(Signed) Dragomir DJOKIC
Ambassador
Chargé d'affaires a.i.

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1995/716
21 August 1995

ORIGINAL: ENGLISH

LETTER DATED 21 AUGUST 1995 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF BOSNIA AND HERZEGOVINA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to present to you the annexed letter dated today from my Minister of Foreign Affairs addressed to Your Excellency.

May I ask for your kind assistance in circulating the present letter and its annex, as a document of the Security Council.

(Signed) Ivan Z. MISIĆ
Chargé d'affaires a.i.

95-24499 (E) 210895 220895

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Annex

Letter dated 21 August 1995 from the Minister for Foreign Affairs of the Republic of Bosnia and Herzegovina addressed to the President of the Security Council

Today three children were senselessly murdered by Serbian shelling of Goražde. When will enough be enough and what will it take for the United Nations and the North Atlantic Treaty Organization (NATO) to react to this terrorism?

The failure to respond can only be characterized as a further betrayal of your commitments and of the "peace initiative" now being launched.

The Secretary-General had assured us that the withdrawal of the United Nations Protection Force (UNPROFOR) from Goražde would not deter the previously given commitment.

The ever-increasing string of broken promises can only be characterized as shameful.

(Signed) Muhamed SACIRBEY
Minister

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1995/717
21 August 1995

ORIGINAL: ENGLISH

LETTER DATED 20 AUGUST 1995 FROM THE PERMANENT REPRESENTATIVE OF CROATIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

It is with utmost concern that I inform you about a severe artillery attack on the city of Osijek, which has inflicted heavy casualties and material damage. On 19 August 1995, at 1825 hours local time, Croatian Serb paramilitaries, with the assistance of the Novi Sad Corps of the Army of Yugoslavia, launched a terrorist attack on Osijek, from their positions in occupied Vukovar region (formerly known as Sector East) of the Republic of Croatia. Casualties include 3 killed and 10 wounded.

At the same time, shelling of the Croatian territory from the territory of the Republic of Bosnia and Herzegovina continues, in spite of the reiterated warnings from my Government that the Republic of Croatia shall not tolerate such aggressive actions of the Bosnian Serb paramilitary forces. On 19 August 1995, 55 impacts were recorded in the Dubrovnik region.

Should the Serbian side continue with such indiscriminate attacks primarily aimed at civilians and non-military targets, my Government will be compelled to respond appropriately in order to disengage the attacking positions of the Serbian paramilitary forces on the occupied territory of the Republic of Croatia and on the territory of Bosnia and Herzegovina, and in the latter case, acting in accordance with the Split Declaration of 22 July 1995 (S/1995/609).

May I ask for your kind assistance in distributing this letter as a document of the Security Council.

(Signed) Mario NOBILO
Ambassador
Permanent Representative

95-24456 (E) 210895 220895

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General Assembly
Security Council

Distr.
GENERAL

A/50/359
S/1995/718
21 August 1995

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fiftieth session
Item 149 of the provisional agenda*
MEASURES TO ELIMINATE INTERNATIONAL TERRORISM

SECURITY COUNCIL
Fiftieth year

Letter dated 21 August 1995 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General

I would like to draw your attention to a grave act of terrorism which was perpetrated today in Israel by Palestinian extremists.

At 7.50 a.m. local time, a Palestinian terrorist detonated a bomb on a commuter bus travelling in rush-hour traffic in Jerusalem's Ramat Eshkol neighbourhood. The explosion destroyed two buses that were travelling along the same street. According to the latest accounts, 4 Israelis were killed and over 100 were injured.

Sources from the fundamentalist organization Hamas have claimed responsibility for the attack, which was carried out by a terrorist who entered the bus armed with a pipe bomb.

The attack was intended not only to kill innocent Israelis, but to derail the peace process as well. The attacker and those who sent him are enemies of peace and of the people of the Middle East who seek an end to hatred and violence.

Israel will not allow terrorism to destroy the progress made thus far in implementing the Declaration of Principles signed by Israel and the Palestine Liberation Organization (PLO) on 13 September 1993. Israel remains committed to working with the Palestinians towards achieving peace. Yet, Israel will continue to take all measures necessary to combat terrorism in order to ensure

* A/50/150.

the security of its citizens. This is a difficult day for Israel, but the timetable for negotiations should not be affected, except for a period of mourning.

Israel calls upon all Member States to condemn unequivocally this terrorist attack, and to oppose those States and organizations that promote terrorism. It also calls upon Member States to join in supporting the peace process.

I should be grateful if you would have this letter circulated as an official document of the General Assembly, under item 149 of the provisional agenda, and of the Security Council.

(Signed) Gad YAACOBI
Ambassador
Permanent Representative of Israel
to the United Nations

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Security Council

Distr.
GENERAL

S/1995/719
21 August 1995
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 21 AUGUST 1995 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you that on 7 August 1995 a patrol flying the American flag entered Iraqi territorial waters and proceeded to reconnoitre the area located between Mina al-Bakr and Mina al-Amiq and the Shatt al-Arab and Khawr Abdullah.

At 0950 hours on 8 August 1995, the patrol launched a rubber dinghy with three frogmen on board and reconnoitred the area. At the same time, two United States Navy helicopters were sighted.

In addition, at 0900 hours on 9 August, a cruiser bearing the number 060 and flying the British flag arrived in the area located between Mina al-Bakr and Mina al-Amiq, travelling slowly.

These violations of our territorial waters confirm that the Governments of the United States of America and the United Kingdom are continuing to carry out acts of provocation against the Republic of Iraq and persist in encroaching on our sovereignty for the purpose of creating pretexts and justifications to legitimate their aggressive aims.

I request you to intervene, as dictated by your responsibility under the Charter of the United Nations, to prevent the repetition of these unjustified violations so that stability, peace and security may prevail in the region.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

95-24529 (E) 210895 210895 220895

UNITED
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Security Council

Distr.
GENERAL

S/1995/720
21 August 1995
ENGLISH
ORIGINAL: RUSSIAN

LETTER DATED 21 AUGUST 1995 FROM THE PERMANENT REPRESENTATIVE OF TAJIKISTAN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit herewith the text of the "Protocol concerning the fundamental principles of peace-keeping and the national entente in Tajikistan" signed by the President of the Republic of Tajikistan, E. Rakhmonov, and the leader of the Tajik opposition, A. Nuri, thanks to the good offices of your Special Envoy, Ambassador Ramiro Píriz-Ballón.

I should be grateful if you would have the text of this letter and its annex circulated as a document of the Security Council.

(Signed) Rashid ALIMOV
Ambassador
Permanent Representative

95-24570 (E) 210895 210895 220895

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Annex

Protocol concerning the fundamental principles of peace-keeping and the national entente in Tajikistan

The President of the Republic of Tajikistan, E. Rakhmonov, and the leader of the Tajik opposition, A. Nuri, firmly resolved to ensure that the higher interests of the Tajik people are respected, declare that dialogue and cooperation are the indispensable means for arriving at a durable peace in the country. Accordingly, the Government undertakes to abstain from doing anything that might go against the provisions of the protocols concluded and from adopting any law or measure that might be incompatible with those protocols. The Tajik opposition, for its part, undertakes to use in its political struggle exclusively peaceful means, in accordance with the laws in force in the Republic of Tajikistan and in conformity with the agreements guaranteed set forth in the general agreement on the maintenance of peace and the national entente in the country.

To that end, they have agreed as follows:

1. On 18 September 1995, they will embark on an uninterrupted series of talks with a view to concluding as soon as possible general agreement on the maintenance of peace and the national entente in Tajikistan. These talks will take place at a venue agreed by the parties, with the mediation of the Special Envoy of the Secretary-General of the United Nations.

2. The above-mentioned general agreement will be composed of distinct protocols on the following series of problems:

(a) Political problems, including a consultative forum of the nations of Tajikistan, the functioning of all the parties and political movements and the participation of their representatives in the structures of authority, as well as the strengthening of the process of the democratization of Tajik society;

(b) Military problems, including reform of the structures of the government forces, demobilization, disarmament and reintegration of opposition army units into the government armed forces or into a civil service, in accordance with a plan to be agreed on in the course of subsequent talks;

(c) Freely granted repatriation, in full security and dignity, and reintegration of refugees, including the necessary legal, economic and social guarantees;

(d) The committee on surveillance and monitoring of observance of the general agreements by the parties;

(e) These guarantees regarding observance of the general agreement, in particular the role that might be played by the United Nations, States and international organizations observing the inter-Tajik talks;

(f) A donors' conference on the financing of a programme for the reintegration of refugees, displaced persons and individuals demobilized in the context of national pacification and on the granting of the necessary assistance for the resurgence of the national economy, disrupted by the civil war.

3. The protocols on the series of problems enumerated will form an integral part of the general agreement, the present document constituting the first such protocol.

4. Acting in the spirit of this protocol and desirous of creating the necessary conditions for the pursuit of talks, the parties have agreed to extend by six months, to 26 April 1996, the agreement on the cease-fire and the temporary cessation of hostilities on the Tajikistan-Afghanistan border and inside the country.

5. The exchange of text of the present protocol, signed by E. Rakhmonov, President of the Republic of Tajikistan, and A. Nuri, leader of the Tajik opposition, took place on 17 August 1995 through the intermediary of the Special Envoy of the Secretary-General of the United Nations, R. Píriz-Ballón.

(Signed) E. RAKHMONOV
President of the Republic
of Tajikistan

(Signed) A. NURI
Leader of the Tajik opposition

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Security Council

Distr.
GENERAL

S/1995/720*
23 August 1995
ENGLISH
ORIGINAL: RUSSIAN

LETTER DATED 21 AUGUST 1995 FROM THE PERMANENT REPRESENTATIVE OF TAJIKISTAN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit herewith the text of the "Protocol on the fundamental principles for establishing peace and national accord in Tajikistan" signed by the President of the Republic of Tajikistan, E. Rakhmonov, and the leader of the Tajik opposition, A. Nuri, thanks to the good offices of your Special Envoy Ambassador Ramiro Píriz-Ballón.

I should be grateful if you would have the text of this letter and its annex circulated as a document of the Security Council.

(Signed) Rashid ALIMOV
Ambassador
Permanent Representative

* Reissued for technical reasons.

95-24903 (E) 230895 240895

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Annex

Protocol on the fundamental principles for establishing peace and national accord in Tajikistan

The President of the Republic of Tajikistan, Emomali Rakhmonov, and the leader of the Tajik opposition, Abdullo Nuri, strongly determined to ensure observance of the highest interests of the Tajik people, affirm that dialogue and cooperation are the essential ways to achieve stable peace in the country. To this end, the Government undertakes to refrain from carrying out any acts that run counter to the provisions of the protocols being concluded and from adopting such laws or measures which may be incompatible with these protocols. The Tajik opposition, for its part, undertakes to wage a political struggle by exclusively peaceful means in accordance with the laws in force in the Republic of Tajikistan and in conformity with the conditions and guarantees laid down in a general agreement on the establishment of peace and national accord in the country.

In this connection, the parties have agreed:

1. To conduct, beginning on 18 September 1995, a continual round of negotiations aimed at concluding, at the earliest possible date, a general agreement on the establishment of peace and national accord in Tajikistan. The venue for the negotiations shall be agreed upon by the parties through the mediation of the Special Envoy of the United Nations Secretary-General.

2. The general agreement referred to shall consist of separate protocols on the following groups of problems:

(a) Political problems, including a consultative forum of the peoples of Tajikistan, the functioning of all political parties and political movements and the participation of their representatives in the power structures, as well as the deepening of the democratization process in Tajik society;

(b) Military problems, including reforms of the governmental power structures, and the disbandment, disarmament and reintegration of the opposition's armed formations into the Government's armed forces or Tajikistan's civilian sector, in accordance with a timetable to be agreed upon at subsequent negotiations;

(c) The voluntary, safe and dignified repatriation and reintegration of refugees, including legal, economic and social guarantees for their protection;

(d) A commission to monitor and verify compliance by the parties with the general agreement;

(e) Guarantees for implementing the general agreement, including a possible role to be played by the United Nations, States and international organizations acting as observers at inter-Tajik negotiations;

(f) A donors' conference for financing the programmes to reintegrate refugees, displaced persons and persons demobilized during the national reconciliation process, and also for providing necessary assistance in restoring the national economy, which has been destroyed by the civil war.

3. The protocols on these groups of problems shall be integral parts of the general agreement, and this document shall be incorporated into it as the first protocol.

4. Acting in the spirit of this Protocol and with a view to creating the necessary conditions for conducting further negotiations, the parties have agreed to extend the period of validity of the Agreement on a Temporary Cease-Fire and the Cessation of Other Hostilities on the Tajik-Afghan Border and within the Country for the next six months until 26 February 1996.

5. The texts of this Protocol, which were signed by Mr. Rakhmonov, the President of the Republic of Tajikistan, and Mr. Nuri, the leader of the Tajik opposition, were exchanged on 17 August 1995, through the intermediary of the Special Envoy of the Secretary-General, Mr. Ramiro Píriz-Ballón.

(Signed) E. RAKHMONOV
President of the Republic of Tajikistan

(Signed) A. NURI
Leader of the Tajik opposition

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1995/721
21 August 1995
ENGLISH
ORIGINAL: SPANISH

LETTER DATED 21 AUGUST 1995 FROM THE PERMANENT REPRESENTATIVE OF SPAIN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit to you herewith the text of the statement on the situation in Dubrovnik made by the Presidency on behalf of the European Union on 19 August 1995.

I should be grateful if you would have the text of this letter and its annex circulated as a document of the Security Council.

(Signed) Juan Antonio YÁÑEZ-BARNUEVO

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Annex

[Original: English, French and Spanish]

STATEMENT BY THE PRESIDENCY ON BEHALF OF THE EUROPEAN UNION ON THE SITUATION IN DUBROVNIK

(Brussels, 19 August 1995)

The European Union expresses its deepest concern regarding the situation in and around Dubrovnik, including the neighbouring Bosnian area.

The European Union urges all parties involved to stop all military activities immediately and show the utmost restraint.

The European Union reiterates its appeal to all parties to look for a negotiated solution, contributing to a de-escalation of the crisis.

UNITED
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Security Council

Distr.
GENERAL

S/1995/722
22 August 1995
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 17 AUGUST 1995 FROM THE PRIME MINISTER OF THE REPUBLIC OF ZAIRE ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to acknowledge receipt of resolution 1011 (1995), adopted by the Security Council on 16 August 1995, which you transmitted to the Deputy Prime Minister and Minister for Foreign Affairs.

By its note verbale of 10 August 1995, the Permanent Mission of Zaire to the United Nations communicated to the President of the Security Council and yourself the position of the Republic of Zaire on the draft resolution relating to the lifting of the arms embargo imposed by the Security Council on Rwanda by resolution 918 (1994) of 17 May 1994.

Subsequently, through the intermediary of Mr. Aliou Diallo, the Resident Representative of the United Nations Development Programme in Kinshasa, I informed you of the strong internal pressures sustained by the Government, particularly from the Parliament, and of the political situation that would be created in Zaire, particularly on its borders with Rwanda and Burundi, by the vote on the resolution lifting the embargo on Rwanda, at a time when reliable and consistent reports in my possession point to a concentration of the armed forces of Rwanda and Burundi on the borders with Zaire.

I pointed out also that, in the event of a vote on the resolution lifting the embargo on Rwanda, the Zairian Government would find itself obliged to invoke article 3, paragraph 2, of resolution 2312 (XXII), entitled "Declaration on territorial asylum", adopted by the United Nations General Assembly on 24 December 1967, and thus to derogate - for major reasons of national security and in order to protect the population against the massive flow of foreigners that have invaded North and South Kivu - from the principle set forth in article 3, paragraph 1, of the above-mentioned Declaration.

This position was communicated by the Deputy Permanent Representative of Zaire to the United Nations to the President of the Security Council on 16 August 1995 before the Council's formal meeting, together with the position of the Government of the Republic of Zaire on the compromise text of the draft resolution on the suspension of the embargo imposed on Rwanda.

The adoption of resolution 1011 (1995) by the Security Council at its 3566th meeting on 16 August 1995 leaves me no choice but to request you to indicate to me the arrangements made at the United Nations level in relation to the new country or countries of asylum to which the Rwandan and Burundi refugees should be evacuated.

In the absence of any clear indication, the Government of the Republic of Zaire intends to evacuate them to their country of origin at the expense of the United Nations Assistance Mission for Rwanda, the United Nations and the Governments of their respective countries.

The decision of the Government of Zaire is the logical sequel to the adoption of Security Council resolution 1011 (1995), and its aim is to protect Rwanda against the alleged destabilization attempts by former members of the Rwandanese armed forces and Rwandan refugees in neighbouring countries, including Zaire.

(Signed) KENGO Wa DONDO

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Security Council

Distr.
GENERAL

S/1995/723
22 August 1995
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 18 AUGUST 1995 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRIME MINISTER OF THE REPUBLIC OF ZAIRE

I have the honour to acknowledge receipt of your letter of 17 August 1995 whereby you drew my attention to the political implications for Zaire of resolution 1011 (1995), adopted by the Security Council on 16 August 1995.

I have taken very careful note of the difficulties encountered by your Government with the Parliament and the Zairian population groups along the border between your country, Rwanda and Burundi.

In view of the importance of the subject and my great concern regarding it, I have decided to communicate your letter to the President of the Security Council in extenso.

I should like, pending the reaction of the Security Council, to address to you an urgent appeal that your Government continue to provide to the Rwandan and Burundi refugees assistance that accords with the traditions of generosity of the people of Zaire.

(Signed) Boutros BOUTROS-GHALI

95-24649 (E) 220895 220895 230895

UNITED
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Security Council

Distr.
GENERAL

S/1995/724
28 August 1995
ENGLISH
ORIGINAL: ENGLISH AND FRENCH

Argentina, Czech Republic, France, Germany, Honduras, Italy, Russian Federation, Rwanda, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

The Security Council,

Having considered the report of the Preparatory Fact-finding Mission to Burundi dated 20 May 1994 (S/1995/157),

Having further considered the report of the Security Council's mission to Burundi dated 9 March 1995 (S/1995/163),

Recalling the statement by the President of the Council of 29 March 1995 (S/PRST/1995/13), in which the Council, inter alia, underlined the role that could be played in Burundi by an international commission of inquiry into the 1993 coup attempt and into the massacres that followed,

Welcoming the letter of the Secretary-General to the President of the Council dated 28 July 1995 (S/1995/631) recommending that such a commission of inquiry should be created by resolution of the Council,

Taking into account the initiative of the Government of Burundi in calling for the establishment of an international judicial commission of inquiry as referred to in the Convention of Government (S/1995/190, annex),

Recalling also the letter of the Permanent Representative of Burundi (S/1995/673) dated 8 August 1995 noting with interest the letter of the Secretary-General of 28 July 1995,

Taking note that the parties in Burundi, in the Convention of Government, agreed, without prejudice to the outcome of the independent national and international investigations, to call the massacres which followed the assassination of the President of Burundi on 21 October 1993 genocide,

Deeply concerned that impunity creates contempt for law and leads to violations of international humanitarian law,

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Expressing once again its grave concern at reports indicating that systematic, widespread and flagrant violations of international humanitarian law have been committed in Burundi,

Stressing the importance of strengthening, in cooperation with the Government of Burundi, the Burundi judicial system,

Reiterating its profound concern over the resumption of radio broadcasts inciting ethnic hatred and violence and recognizing the need for ending such broadcasts,

Recalling that all persons who commit or authorize the commission of serious violations of international humanitarian law are individually responsible for these violations and should be held accountable,

1. Requests the Secretary-General to establish, as a matter of urgency, an international commission of inquiry, with the following mandate:

(a) To establish the facts relating to the assassination of the President of Burundi on 21 October 1993, the massacres and other related serious acts of violence which followed;

(b) To recommend measures of a legal, political or administrative nature, as appropriate, after consultation with the Government of Burundi, and measures with regard to the bringing to justice of persons responsible for those acts, to prevent any repetition of deeds similar to those investigated by the commission and, in general, to eradicate impunity and promote national reconciliation in Burundi;

2. Recommends that the international commission of inquiry be composed of five impartial and internationally respected, experienced jurists who shall be selected by the Secretary-General and shall be furnished with adequate expert staff, and that the Government of Burundi be duly informed;

3. Calls upon States, relevant United Nations bodies and, as appropriate, international humanitarian organizations to collate substantiated information in their possession relating to acts covered in paragraph 1 (a) above, to make such information available as soon as possible and to provide appropriate assistance to the commission of inquiry;

4. Requests the Secretary-General to report to the Council on the establishment of the commission of inquiry, and further requests the Secretary-General, within three months from the establishment of the commission of inquiry, to submit an interim report to the Council on the work of the commission and to submit a final report when the commission completes its work;

5. Calls upon the Burundi authorities and institutions, including all Burundi political parties, to fully cooperate with the international commission of inquiry in the accomplishment of its mandate, including responding positively to requests from the commission for security, assistance and access in pursuing investigations, including:

(a) Adoption by the Government of Burundi of any measures needed for the commission and its personnel to carry out their functions throughout the national territory with full freedom, independence and security;

(b) Provision by the Government of Burundi of all information in its possession which the commission requests or is otherwise needed to carry out its mandate and free access for the commission and its staff to any official archives related to its mandate;

(c) Freedom for the commission to obtain any information the commission considers relevant and to use all sources of information which the commission considers useful and reliable;

(d) Freedom for the commission to interview, in private, any persons the commission judges necessary;

(e) Freedom for the commission to visit any establishment or place at any time;

(f) Guarantee by the Government of Burundi of full respect for the integrity, security and freedom of witnesses, experts and any other persons who help the commission in its work;

6. Calls upon all States to cooperate with the commission in facilitating its investigations;

7. Requests the Secretary-General to provide adequate security for the commission in cooperation with the Government of Burundi;

8. Requests the Secretary-General to establish, as a supplement to financing as an expense of the Organization, a trust fund to receive voluntary contributions to finance the commission of inquiry;

9. Urges States and intergovernmental and non-governmental organizations to contribute funds, equipment and services to the commission of inquiry including the offer of expert personnel in support of the implementation of this resolution;

10. Decides to remain actively seized of the matter.

UNITED
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Security Council

Distr.
GENERAL

S/1995/725
22 August 1995
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 22 AUGUST 1995 FROM THE CHARGE D'AFFAIRES A.I.
OF THE PERMANENT MISSION OF THE LIBYAN ARAB JAMAHIRIYA TO
THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit to you herewith the text of the resolution adopted by the Eighteenth Conference of the Union of African Parliaments, held at Ouagadougou, Burkina Faso, on 28 and 29 July 1995, concerning the dispute existing between the Libyan Arab Jamahiriya and certain Western States.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Ali Sunni MUNTASSER
Chargé d'affaires a.i.

Annex

Resolution concerning the dispute existing between Libya and certain Western States

The Eighteenth Conference of the Union of African Parliaments, held at Ouagadougou, Burkina Faso, on 28 and 29 July 1995,

Having taken cognizance of the report of the Committee to Support the Jamahiriya,

Having heard the statement of the delegation of the Great Socialist People's Libyan Arab Jamahiriya on the dispute existing between it and the three Western States,

Recalling its earlier resolutions on this matter, adopted at its meetings in Abidjan, Tunis and Praya,

1. Commends the good will demonstrated by the Great Socialist People's Libyan Arab Jamahiriya and its efforts in search of a just resolution of this dispute;

2. Calls on the Security Council to rescind as a matter of urgency the sanctions imposed on Libya, in order to alleviate the unjustified suffering to which the Libyan people is exposed;

3. Invites the three Western countries to respond to the positive initiatives put forward with a view to a just and impartial trial of the two accused in a country to be agreed on by all the parties;

4. Urges the States concerned to seek to resolve this dispute by the peaceful means provided for in the United Nations Charter and international law;

5. Calls on all Governments to cease implementing the arbitrary measures imposed on Libya and to participate in the search for a peaceful and just solution to this issue;

6. Strongly supports the resolution of the Organization of African Unity nominating the Libyan Arab Republic as a member of the Security Council for the years 1996 and 1997;

7. Pays tribute to the efforts made by the Union of African Parliaments Committee to Support Libya and invites it to continue them.

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General Assembly
Security Council

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GENERAL

A/50/364
S/1995/726
22 August 1995

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fiftieth session
Item 8 of the provisional agenda*
ADOPTION OF THE AGENDA AND
ORGANIZATION OF WORK

SECURITY COUNCIL
Fiftieth year

Letter dated 22 August 1995 from the Permanent Representative of Slovenia to the United Nations addressed to the Secretary-General

With reference to the letter of the "Permanent Mission of Yugoslavia" (A/50/350-S/1995/689), I wish to recall that the Security Council stated, in its resolution 777 (1992) of 19 September 1992, inter alia:

"Considering that the State formerly known as the Socialist Federal Republic of Yugoslavia has ceased to exist,

"...

"Considers that the Federal Republic of Yugoslavia (Serbia and Montenegro) cannot continue automatically the membership of the former Socialist Republic of Yugoslavia in the United Nations, and therefore recommends to the General Assembly that it decide that the Federal Republic of Yugoslavia (Serbia and Montenegro) should apply for membership in the United Nations and that it shall not participate in the work of the General Assembly."

This requirement is clear. All the attempts by the "Federal Republic of Yugoslavia (Serbia and Montenegro)" to present itself as a Member of the United Nations are thus out of order.

* A/50/150.

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I should be grateful if you would have the present letter circulated as a document of the General Assembly, under item 8 of the provisional agenda, and of the Security Council.

(Signed) Danilo TÜRK
Permanent Representative

UNITED
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Security Council

Distr.
GENERAL

S/1995/727
22 August 1995

ORIGINAL: ENGLISH

LETTER DATED 22 AUGUST 1995 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Upon instructions of my Government, I am writing to inform you of the following.

On 19 August 1995, the Croatian armed forces opened fire from the region of Butkovina (position 611) on two occasions on the units of the Army of Yugoslavia deployed along the border and thus again violated the territorial integrity of the Federal Republic of Yugoslavia.

At 11.45 a.m. one shell landed 7 metres away from the position of the Army of Yugoslavia. Shortly after, at 11.46 a.m. the watchtower of the Army of Yugoslavia was exposed to Croatian gunfire. There were no casualties. The Army of Yugoslavia did not return fire.

In the wake of the above, I avail myself of this opportunity to lodge a strong protest to you, in your capacity as President of the Security Council, and warn the Council of the seriousness of this situation and the possible consequences caused by the repeated incidents and provocations of Croatia against the Federal Republic of Yugoslavia.

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(Signed) Dragomir DJOKIĆ
Ambassador
Chargé d'affaires a.i.

95-24728 (E) 220895 230895